

PATENT

266145
12-17-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Sang-Min BAE et al.

Group Art Unit: 2661

Serial No: 09/986,216

Docket: 678-764 (P9994)

Filed: October 22, 2001

Dated: December 6, 2002

For: **APPARATUS AND METHOD FOR
DETERMINING A DATA RATE OF
PACKET DATA IN A MOBILE
COMMUNICATION SYSTEM**

RECEIVED
DEC 12 2002
Technology Center 2600

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicants' duty of disclosure, it is respectfully requested that the reference listed in the attached form PTO-1449 be considered by the Examiner and made of record in the above-identified application. A copy of the reference is attached hereto.

The citation of the listed item is not a representation that it constitutes a complete or exhaustive listing of the relevant art or that the references are prior art. The item listed is submitted in good faith, but is not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of this particular item, it will assist in identifying fields of search and in making as full and complete a search as possible.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231 on December 6, 2002.

Dated: December 6, 2002


Paul J. Farrell

The listed item was cited by the Australian Patent in a counterpart application, namely Appln. No. 11041/02. A copy of an Office Action dated September 11, 2002 is attached hereto.

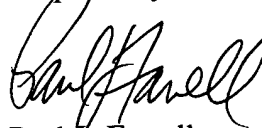
The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

CERTIFICATION UNDER 37 C.F.R. §1.97(e)(2)

Applicants submit that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application no more than three months prior to the filing of the Statement.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicants

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484
(516) 228-8516

APPLICANTS:
Sang-Min BAE et al.FILING DATE
October 22, 2001GROUP ART UNIT
2661INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|--------------|----------------------|-------|----------|-------------------------------|
| | 6,064,678 | May 16, 2000 | Sindhushayana et al. | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

RECEIVED

DEC 12 2002

Technology Center 2600

FOREIGN PATENT DOCUMENTS

| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|-----------------|------|---------|-------|----------|-------------|----|
| | | | | | | YES | NO |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | | |
|--|--|----|--|
| | | 1. | Australian Office Action dated September 11, 2002, issued in a counterpart application, namely, Appln. No. 11041/02. |
| | | | |
| | | | |
| | | | |

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.